

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 04-11492-REK

MARIO LACY,
Plaintiff,

v.

CITY OF BOSTON, WILLIAM
FEENEY, KENNETH HEARNS
and JUAN J. SEOANE,
Defendants.

**DEFENDANTS FEENEY, HEARNS and SEOANE'S MOTION FOR DISCLOSURE OF
CRIMINAL OFFENDERS RECORD INFORMATION**

Defendants, William Feeney, Kenneth Hearn, and Juan Seoane move that this Honorable Court order the Commissioner of Probation for the Trial Court of the Commonwealth to provide to their attorneys, Karen A. Glasgow and James M. Chernetsky, Assistant Corporation Counsel, City of Boston Law Department, Room 615, City Hall, Boston, Massachusetts 02201, within 10 days of the date of such order, all Criminal Offender Record Information (CORI), including but not limited to certified records of convictions, for the persons listed below:

MARIO LACY

DATE OF BIRTH:

CURRENT ADDRESS:

[REDACTED]
Boston, MA

[REDACTED] nue, #609

SSN:

[REDACTED]

In support of this motion, Defendants state the following:

- 1) Pursuant to G.L. c.6, §172(c), Criminal History Systems Board has certified that CORI of prospective witnesses is to be made available to an attorney of record in a court proceeding when the CORI is to be used for trial strategy or impeachment.
- 2) The CORI of the designated person will only be used by the Defendants in this above-entitled action for trial strategy or trial witness impeachment purposes and will not otherwise be disclosed to any person who is not authorized to have access to CORI.
- 3) The Commissioner does not oppose the Defendants' request for CORI but will not release the CORI without a Court order.
- 4) The Commissioner is willing to subject himself to the jurisdiction of this Court for the limited purpose of this motion and any order that may be issued pursuant to this order.

The Court is respectfully referred to the proposed order annexed hereto.

Respectfully submitted,
DEFENDANTS BOSTON POLICE
OFFICERS WILLIAM FEENEY,
KENNETH HEARNS AND JUAN
SEOANE

By their attorneys:

/s/ Karen A. Glasgow

Karen A. Glasgow BBO#648688
James M. Chernetsky BBO#638152
Assistant Corporation Counsel
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
617-635-4034

February 10, 2005

CERTIFICATE OF SERVICE

I, Karen A. Glasgow, hereby certify that I served *Defendants FEENEY, HEARNS and SEOANE's Motion for Disclosure of Criminal Offenders Record Information*, upon the Plaintiff by mailing a copy, postage prepaid, to:

Stephen Hrones, Esq.
HRONES & GARRITY
Lewis Wharf, Bay 232
Boston, MA 02110-3927

2/10/05

/s/ Karen A. Glasgow

Date

Karen A. Glasgow